

## **GARIBAY PLAINTIFFS' ADVISORY REGARDING NEW VOTER PURGE LISTS SENT TO COUNTIES**

Plaintiffs Julieta Garibay, *et al.* file this Advisory to inform the Court that on March 11, 2019, following this Court's status conference, Defendant Secretary of State David Whitley sent Texas counties new lists of voters for investigation of the voters' U.S. citizenship. Defendant Whitley's lists to the counties purported to contain information about registered voters who visited DPS in the past few months.

As with the flawed list of 98,000 voters, yesterday's lists sent by Defendant Whitley contained the names of naturalized U.S. citizens who are properly registered to vote. For example, the list received by Cameron County contained the names of 78 voters, 54 of whom registered to vote at DPS (Code 64) and are immediately recognizable as U.S. citizens. According to news reports, the list received by Travis County contained 146 voters and "a substantial number" of them were naturalized citizens who registered to vote at DPS.<sup>1</sup>

Defendant Whitley's issuance of these latest deeply flawed lists to the counties, whether or not inadvertent, exacerbates the confusion and concern among Garibay Plaintiffs and other naturalized citizens who are registered voters and who are being investigated by their counties as a result of the first, second and this latest batch of lists. Defendant Whitley's issuance of these latest lists also serves as further reason for the Court to grant a Preliminary Injunction that requires State Defendants to rescind and take no further action on the purge lists until a determination on the merits of Plaintiffs' claims.

Dated: March 12, 2019

Respectfully Submitted,

**MEXICAN AMERICAN LEGAL  
DEFENSE AND EDUCATIONAL FUND**

By: /s/ Nina Perales

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<sup>1</sup> Alexa Ura, "Texas again mistakenly flags voters for citizenship reviews," *Texas Tribune*, March 11, 2019, available at [https://www.texastribune.org/2019/03/11/texas-again-mistakenly-flags-voters-citizenship-reviews/?utm\\_campaign=trib-social-buttons&utm\\_source=twitter&utm\\_medium=social](https://www.texastribune.org/2019/03/11/texas-again-mistakenly-flags-voters-citizenship-reviews/?utm_campaign=trib-social-buttons&utm_source=twitter&utm_medium=social)

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that, on the 12th day of March, 2019, I electronically filed the above and foregoing document using the CM/ECF system, which automatically sends notice and a copy of the filing to all counsel of record.

/s/ Nina Perales

Nina Perales